

By: Carpenter

S.J.R. No. 21

SENATE
A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize use of proceeds
2 from the sale of permanent school fund land to acquire other land
3 as part of the permanent school fund.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VII, Section 4, of the Texas Constitution
6 is amended to read as follows:

7 "Section 4. The lands herein set apart to the Public Free School
8 fund, shall be sold under such regulations, at such times, and on
9 such terms as may be prescribed by law; and the Legislature shall
10 not have power to grant any relief to purchasers thereof. The
11 ~~[Comptroller--shall--invest--the]~~ proceeds of such sales must be used
12 to acquire other land for the Public Free School fund as provided
13 by law or the proceeds shall be invested by the ~~comptroller~~ ^{treasurer} ~~[--and~~
14 ~~of--these--heretofore--made]~~, as may be directed by the Board of
15 Education herein provided for, in the bonds of the United States,
16 the State of Texas, or counties in said State, or in such other
17 securities, and under such restrictions as may be prescribed by
18 law; and the State shall be responsible for all investments."

19 SECTION 2. This proposed constitutional amendment shall be
20 submitted to voters at an election to be held on November 5, 1985.
21 The ballot shall be printed to provide for voting for or against
22 the proposition: "The constitutional amendment authorizing
23 proceeds from the sale of land dedicated to the permanent school ¹/₂
24 fund to be used to acquire other land for that fund."

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 13, 1985

Honorable Ray Farabee, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

In Re: Senate Joint Resolution No. 21
By: Caperton

Sir:

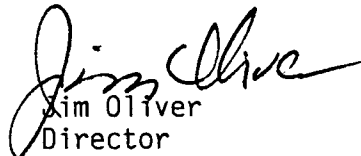
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The resolution would make no appropriation but could provide the legal basis for an appropriation of funds.

The cost of publication of the resolution is \$48,100.

The resolution proposes a constitutional amendment that would authorize the School Land Board to sell Permanent School Fund land and use the proceeds to purchase other land for the Permanent School Fund. The fiscal implications to the State of this activity cannot be determined.

No fiscal implication to units of local government is anticipated.


Jim Oliver
Director

Source: Sunset Commission;
LBB Staff: JO, JH, SB, LV

LEGISLATIVE BUDGET BOARD

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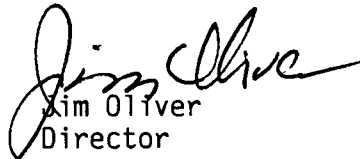
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1 By: Caperton S.J.R. No. 21
2 (In the Senate - Filed February 18, 1985; February 19, 1985,
3 read first time and referred to Committee on State Affairs;
4 March 14, 1985, reported favorably; March 14, 1985, sent to
5 printer.)

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18 used to acquire other land for the Public Free School fund as
19 provided by law or the proceeds shall be invested by the
20 comptroller~~[7--and--of--these--heretofore--made]~~, as may be directed by
21 the Board of Education herein provided for, in the bonds of the
22 United States, the State of Texas, or counties in said State, or in
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31 fund to be used to acquire other land for that fund."

32 * * * * *

33 Austin, Texas
34 March 14, 1985

35 Hon. William P. Hobby
36 President of the Senate

37 Sir:

38 We, your Committee on State Affairs to which was referred S.J.R.
39 No. 21, have had the same under consideration, and I am instructed
40 to report it back to the Senate with the recommendation that it do
41 pass and be printed.

42 Farabee, Chairman

S.J.R. 21 by Caperton

Proposing a constitutional amendment to authorize use of proceeds from the sale of permanent school fund land to acquire other land as part of the permanent school fund.

Background Information:

Article VII, Section 4, of the Texas Constitution provides that proceeds from the sale of lands set apart for public free schools must be invested in governmental bonds and securities.

The Sunset Commission recommended that the School Land Board be authorized to establish an escrow account for land trades. The current efforts by the School Land Board and the General Land Office to develop manageable land holdings and increase the income potential of public school lands have been hampered by the cumbersome land trade process. In order to establish the escrow account, the constitutional provision dealing with the proceeds from sales has to be amended to allow the agency to use the funds to acquire other lands. This is a companion to S.B. 493.

Problem(s) that the Resolution Addresses:

Under this constitutional provision the proceeds from the sale of school lands may not be used to acquire other land for the public schools.

How this Resolution will Solve the Problem(s):

This Resolution proposes a constitutional amendment authorizing proceeds from the sale of land dedicated to the permanent school fund to be used to acquire other land for that fund.

Section by Section Analysis:

SECTION 1: Amends Article VII, Section 4, Texas Constitution to provide that proceeds of the sale of school land must be used to acquire other land for the public free school fund or be invested as currently allowed:

SECTION 2: Provides that this amendment shall be submitted to the voters at an election held on November 5, 1985; states what should be printed on the ballot.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 13, 1985

Honorable Ray Farabee, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

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By: Caperton

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Jim Oliver
Director

Source: Sunset Commission;
LBB Staff: JO, JH, SB, LV

AMEND THE CAPTION TO CONFORM
TO THE BODY OF THE BILL

ADOPTED

MAR 20 1985

Betty King
Secretary of the Senate

March 20 19 85 Engrossed

Patsy Spaw
Engrossing Clerk

I certify that the attached is a true and correct
copy of SJR 21, which was
received from the Senate on 3-21-85 and
referred to the Committee on Government Engineering

Betty Murray
Chief Clerk of the House

By: Caperton
(C. Evans)

S.J.R. No. 21

SENATE JOINT RESOLUTION

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SECTION 2. This proposed constitutional amendment shall be
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proceeds from the sale of land dedicated to the permanent school

S.J.R. No. 21

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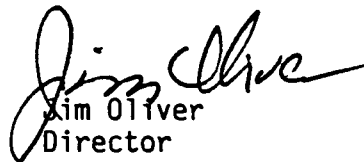
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Jim Oliver
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Source: Sunset Commission;
LBB Staff: JO, JH, SB, LV

HOUSE COMMITTEE REPORT

1st. Printing

1985 MAY 13 PM 8:04
HOUSE OF REPRESENTATIVES

By: Caperton
(C. Evans)

S.J.R. No. 21

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S.J.R. No. 21

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COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

May 8, 1985
(date)

Sir:

We, your COMMITTEE ON GOVERNMENT ORGANIZATION, to whom was referred SJR 21 have had the same under consideration and beg to report back with the recommendation that it (measure)

- ☒ do pass, without amendment.
- ☐ do pass, with amendment(s).
- ☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☐ yes ☒ no An actuarial analysis was requested. ☐ yes ☒ no
Fiscal note for Senate is update
An author's fiscal statement was requested. ☐ yes ☒ no

The Committee recommends that this measure be placed on the (Local) or (Consent) Calendar.

This measure ☒ proposes a constitutional amendment new law. ☒ amends existing law.

House Sponsor of Senate Measure Charles Evans

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Evans, C., Ch.			<input checked="" type="checkbox"/>	
Wilson, V.C.	<input checked="" type="checkbox"/>			
Arnold				<input checked="" type="checkbox"/>
Granoff				<input checked="" type="checkbox"/>
Harris, C.				<input checked="" type="checkbox"/>
Hill, A.	<input checked="" type="checkbox"/>			
Hill, P.	<input checked="" type="checkbox"/>			
Messer	<input checked="" type="checkbox"/>			
Smith, T.	<input checked="" type="checkbox"/>			

Total
5 aye
0 nay
1 present, not voting
3 absent

[Signature]
CHAIRMAN
[Signature]
COMMITTEE COORDINATOR

By Caperton

Resolution Analysis**Background Information**

Chapter 32, Natural Resources Code provides for the creation of the School Land Board to oversee the sale and lease of state-owned land and minerals dedicated to the Permanent School Fund. The Sunset Commission has made recommendations to the Sixty-ninth Legislature concerning the operations of the School Land Board and the sale of land dedicated to the Permanent School Fund.

Purpose of this Resolution

The purpose of the resolution, as recommended by the Sunset Commission, is to allow the School Land Board to sell public school land, and use the proceeds to acquire other land as part of the permanent school fund.

Section by Section Analysis

SECTION 1. Sec. 4. Allows proceeds from the sale of Permanent School Fund land to be used to acquire other land for the fund.

SECTION 2. Ballot language.

Rulemaking Authority

This resolution does not provide for any rulemaking authority. The School Land Board will have to adopt rules pertaining to the sale of land as provided for in this resolution.

Summary of Committee Action

Pursuant to a suspension of the rules on the House floor, a public hearing on SJR 21 by Caperton was held on April 23, 1985.

SJR 21 was referred to a subcommittee consisting of Representative Ron Wilson, chair; Representative Anita Hill; and Representative Al Granoff. On May 8, 1985, SJR 21 was reported to the full committee without amendments.

Pursuant to suspension of the House rule requiring that subcommittee reports lay out 48 hours, on May 8, 1985, the full committee took up the subcommittee report on SJR 21 and voted to report SJR 21 to the House without amendments and the recommendation that it do pass by a record vote of 5 ayes, 0 nays, and 1 present not voting.

LEGISLATIVE BUDGET BOARD

Austin, Texas

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Director

Source: Sunset Commission;
LBB Staff: JO, JH, SB, LV

Enclosed May 22, 1985
Patsy Spaw
Hatchman

S.J.R. No. 21

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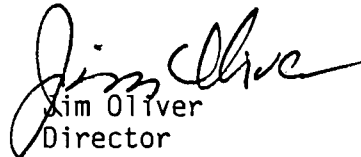
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LBB Staff: JO, JH, SB, LV

S.J.R. No. 21

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President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 21 was adopted by the Senate on March 20, 1985, by the following vote: Yeas 27, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 21 was adopted by the House on May 21, 1985, by the following vote: Yeas 137, Nays 5, five present not voting.

Chief Clerk of the House

S.J.R. No. 21

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 21 (1) was ~~passed~~ ^{adopted} by the Senate on March 20 (2), 1985, by the following vote:
Yeas 27 (3), Nays 0 (4).

Secretary of the Senate

I hereby certify that S.J.R. No. 21 (1) was ~~passed~~ ^{adopted} by the House on May 21 (5), 1985, by the following vote:
Yeas 137 (6), Nays 5 (7), five present not voting.

Chief Clerk of the House

Approved:

Date

Governor

S. J. R. No. 21

By Copert

SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize use of proceeds from the sale of permanent school fund land to acquire other land as part of the permanent school fund.

2-18-85
FEB 19 1985

Filed with the Secretary of the Senate

Read, referred to Committee on STATE AFFAIRS

MAR 14 1985

Reported favorably.

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

MAR 20 1985

Senate and Constitutional Rules to permit consideration suspended by

unanimous consent

 yeas, nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of yeas nays.

MAR 20 1985

Read second time and amended ordered engrossed.
passed to third reading.

MAR 20 1985

Caption ordered amended to conform to body of bill.

MAR 20 1985

Senate and Constitutional 3-Day Rules suspended by vote of 27 yeas, 0 nays to place bill on third reading and final passage.

MAR 20 1985

Read third time and passed by a viva-voce vote.
27 yeas, 0 nays.

OTHER ACTION:

Betty King

Secretary of the Senate

Patsy Law

ENGROSSING CLERK

MAR 21 1985

Received from the Senate

MAR 26 1985

Read first time and referred to Committee on Public Education

APR 23 1985

Referred to Government Organization

5-8-85

Reported favorably amended; sent to Printer 2:55pm

MAY 13 1985

Printed and Distributed 8:04 am

MAY 14 1985

Sent to Committee on Calendars 2:10pm

MAY 21 1985

Read second time (amended) and finally adopted

failed adoption by Record Vote of

137 yeas 5 nays 5 present not voting

Read third time (amended) and finally adopted

failed adoption by a Record Vote of

 yeas nays present not voting

Caption ordered amended to conform to body of resolution

MAY 22 1985

Returned to Senate.

Betty Murray

Chief Clerk of the House

MAY 22 1985

RETURNED FROM HOUSE

March 20, 1985

Engrossed

March 21, 1985

Sent to HOUSE

1965 MAY 13 PM 8:04
HOUSE OF REPRESENTATIVES